

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION
CIVIL CASE NO. 2:10cv023**

WINONA GAIL ANDERSON,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	
)	

THIS MATTER is before the Court *sua sponte* to review the Plaintiff's compliance with this Court's Scheduling Order [Doc. 7] as amended by its Text Order dated March 3, 2011.

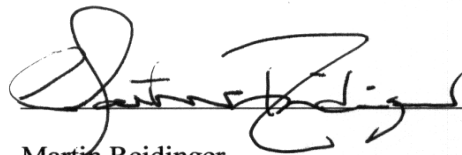
Plaintiff's counsel sought an extension of time within which to file his Motion for Summary Judgment. [Doc. 8]. The Court granted that request and extended the deadline to April 2, 2011. [Text Order of March 3, 2011]. Notwithstanding his own request and the Court's grant thereof, counsel failed to file his Motion and accompanying memorandum within the additional time allotted. He did, however, file them on April, 4, 2011, two days after the amended deadline.

This Court has stressed the importance of meeting deadlines to this counsel. When warnings about his repeatedly missing deadlines effected no improvement, the Court announced that it would fine counsel, but discounted those fines in the first instances. See, e.g., Stacey v. Commissioner, 1:10cv208 (W.D.N.C., Doc. 10, March 23, 2011). For this latest missed deadline, a fine of \$50 a day will be assessed against Plaintiff's counsel. The Court finds that this assessment is necessary for the efficient administration of the business of this Court and not as a finding of contempt against counsel or the Plaintiff herself. Given counsel's continued failure to meet deadlines, no discount will be applied.

ORDER

Accordingly, **IT IS, THEREFORE, ORDERED** that the Plaintiff's counsel, V. Lamar Gudger, III, is assessed a fine of \$100.00, payable to the Clerk of this Court, and to be paid on or before the seventh day after the entry hereof.

Signed: August 10, 2011


Martin Reidinger
United States District Judge

